

2009 DRAFTING REQUEST**Bill**Received: **09/22/2008**Received By: **rkite**Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**By/Representing: **Miner**This file may be shown to any legislator: **NO**Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

Submit via email: **NO****Pre Topic:**

DOA:.....Miner, BB0037 -

Topic:

EIF biennial finance plan

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							S&L
/1	rkite 09/24/2008	jdye 09/27/2008	phenry 09/29/2008		cdurst 09/29/2008		S&L
/2	rkite 01/07/2009	jdye 01/08/2009	mduhek 01/08/2009		lparisi 01/08/2009		S&L
/3	rkite 01/20/2009	jdye 01/20/2009	rschluet 01/20/2009		sbsford 01/20/2009		S&L
/4	rkite 01/21/2009	jdye 01/21/2009	mduhek 01/21/2009		lparisi 01/21/2009		S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/5	rkite 01/22/2009	jdye 01/22/2009	phenry 01/22/2009	_____	mbarman 01/22/2009		

FE Sent For:

<END>

2009 DRAFTING REQUEST**Bill**Received: **09/22/2008**Received By: **rkite**Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**By/Representing: **Miner**This file may be shown to any legislator: **NO**Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

Submit via email: **NO****Pre Topic:**

DOA:.....Miner, BB0037 -

Topic:

EIF biennial finance plan

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?		5/22 jld					S&L
/1	rkite 09/24/2008	jdye 09/27/2008	phenry 09/29/2008		cdurst 09/29/2008		S&L
/2	rkite 01/07/2009	jdye 01/08/2009	mduchek 01/08/2009		lparisi 01/08/2009		S&L
/3	rkite 01/20/2009	jdye 01/20/2009	rschluet 01/20/2009		sbsford 01/20/2009		S&L
/4	rkite 01/21/2009	jdye 01/21/2009	mduchek 01/21/2009		lparisi 01/21/2009		

baph

FE Sent For:

<END>

2009 DRAFTING REQUEST**Bill**Received: **09/22/2008**Received By: **rkite**Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**By/Representing: **Miner**This file may be shown to any legislator: **NO**Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

Submit via email: **NO****Pre Topic:**

DOA:.....Miner, BB0037 -

Topic:

EIF biennial finance plan

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?		14 1/2 jld	MD	MDPH			S&L
/1	rkite 09/24/2008	jdye 09/27/2008	phenry 09/29/2008	1/21	cdurst 09/29/2008		S&L
/2	rkite 01/07/2009	jdye 01/08/2009	mduchek 01/08/2009		lparisi 01/08/2009		S&L
/3	rkite 01/20/2009	jdye 01/20/2009	rschluet 01/20/2009		sbasford 01/20/2009		

FE Sent For:

<END>

2009 DRAFTING REQUEST**Bill**Received: **09/22/2008**Received By: **rkite**Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**By/Representing: **Miner**This file may be shown to any legislator: **NO**Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Miner, BB0037 -

Topic:

EIF biennial finance plan

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?		13/20 jld					S&L
/1	rkite 09/24/2008	jdye 09/27/2008	phenry 09/29/2008		cdurst 09/29/2008		S&L
/2	rkite 01/07/2009	jdye 01/08/2009	mduchek 01/08/2009		lparisi 01/08/2009		

FE Sent For:


<END>

2009 DRAFTING REQUEST

Bill

Received: **09/22/2008**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Miner**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Miner, BB0037 -

Topic:

EIF biennial finance plan

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?		<i>2/7 jld</i>	<i>MD</i>	<i>MD JF</i>			S&L
/1	rkite 09/24/2008	jdyer 09/27/2008	phenry 09/29/2008	<i>1/7</i>	cdurst 09/29/2008		

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: 09/22/2008

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Miner

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Addl. Drafters:

Subject: Environment - water quality

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Miner, BB0037 -

Topic:

EIF biennial finance plan

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?	rkite	1/27 jld	9/29 ph	9/29 ph/mj			
----	-------	----------	---------	------------	--	--	--

FE Sent For:

<END>

2009-11 Budget Bill Statutory Language Drafting Request

- Topic: Environmental Improvement Program Bonding Request
- Tracking Code: BB0037
- SBO team: Agriculture, Environment and Justice
- SBO analyst: Andrew Miner AM 9/19/08
 - Phone: 266-1103
 - Email: andrew.miner@wisconsin.gov
- Agency acronym: EIP
- Agency number: 320
- Priority (Low, Medium, High): High

Intent: Provide increases in general obligation bonding authority, revenue obligation bonding authority and present value subsidy for the Clean Water Fund Program, Safe Drinking Water Loan Program and Land Recycling Loan Program as outlined on the attached sheet.

**ENVIRONMENTAL IMPROVEMENT FUND
BIENNIAL FINANCE PLAN
2008**

EXECUTIVE SUMMARY

The Environmental Improvement Fund (EIF) is jointly administered by the Department of Natural Resources and the Department of Administration. The EIF comprises the Clean Water Fund Program, the Safe Drinking Water Loan Program, and the Land Recycling Loan Program. These programs provide low interest rate loans to municipalities to construct wastewater and drinking water facilities and to remediate brownfields.

The EIF is budgeted as a separate agency. Therefore, any debt authorization for the EIF does not appear within the Department's budget. The statute requires the two agencies to jointly prepare a Biennial Finance Plan detailing the amount of general obligation bonding authority, revenue bonding authority, and present value subsidy authority needed for each of the three loan programs. The Biennial Finance Plan is submitted to the Joint Finance Committee, the standing environmental committees of the Legislature, and the Building Commission. The legislative committees make recommendations to the Building Commission, which ultimately either approves, modifies or denies the requested authorizations.

The following table provides the authorizations for each of the three loan programs which will be requested in the Biennial Finance Plan. The requests total \$125.4 million of general obligation borrowing authority, \$418.8 million of revenue bonding authority, and \$186.6 million of present value subsidy authority.

**PROPOSED FUNDING LEVELS FOR THE ENVIRONMENTAL IMPROVEMENT FUND BONDING
AUTHORITY AND PRESENT VALUE SUBSIDY LIMIT**
(in millions of dollars)

	CHANGE IN AMOUNT	CUMULATIVE
A. CLEAN WATER FUND PROGRAM		
OK General Obligation Bonding	<u>\$116.0*</u>	\$813.6
OK Revenue Bonding	418.8	2402.9
OK Present Value Subsidy	166.3	n/a
 Bonding and present value subsidy levels are expected to be sufficient to meet all of the estimated non-hardship requests.		
B. SAFE DRINKING WATER LOAN PROGRAM		
OK General Obligation Bonding	\$9.4*	\$47.8
OK Present Value Subsidy	17.6	n/a
	CHANGE IN AMOUNT	CUMULATIVE
C. LAND RECYCLING LOAN PROGRAM		
OK Present Value Subsidy	\$2.7	n/a

Notes:

* For the 2009-11 biennium it is estimated that the Clean Water Fund Program and the Safe Drinking Water Loan Program will together require \$125.4 million of new general obligation bonding authority to fund \$857.9 million in new projects expected to apply during that period. The new authority requested, along with amounts expected to carry over from previous biennia, will provide amounts sufficient to fund

the subsidies, reserves, federal capitalization grant matching amounts, and hardship grants for the biennium.

The proposed funding levels of general obligation bonding, revenue bonding and present value authority are based on estimates of future needs for funding. These needs estimates, and the associated funding levels, may change as more data becomes available and as the budget development process proceeds.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0333

RNK: A:....

Jld

DOA:.....Miner, BB0037 - EIF biennial finance plan ✓

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

In 9/24

X

do not gen

1

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT ✓

WATER QUALITY ✓

Under the ✓ Clean Water Fund Program, this state provides financial assistance for projects for controlling water pollution, including sewage treatment plants. One form of financial assistance provided under the Clean Water Fund Program ✓ is a loan at a subsidized interest rate.

The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Clean Water Fund Program ✓ during that fiscal biennium. This bill sets the present value of the Clean Water Fund Program subsidies that may be provided during the 2009-~~2011~~ biennium at ✓ \$166,300,000. * The bill also increases the general obligation bonding authority for the Clean Water Fund Program by \$116,000,000 ✓ and increases the revenue bonding authority for the Clean Water Fund program by \$418,800,000.

* Under the Safe Drinking Water Loan Program ✓, this state provides loans to local governmental units for projects for the construction or modification of public water systems. The loans are provided at subsidized interest rates. The budget bill for each fiscal biennium establishes the present value ✓ of the subsidies that may be provided under the Safe Drinking Water Loan Program during that fiscal biennium. This bill sets the present value of the Safe Drinking Water Loan Program subsidies that may be provided during the 2009-~~2011~~ biennium at ✓ \$17,600,000. The bill also increases *

the general obligation bonding authority for the Safe Drinking Water Loan Program by \$9,400,000.

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

Under the Land Recycling Loan Program, this state provides loans to cities, villages, towns, and counties (political subdivisions) for projects to remedy environmental contamination at sites owned by political subdivisions where the environmental contamination has affected, or threatens to affect, groundwater or surface water. The loans are subsidized so that recipients are not required to pay interest. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Land Recycling Loan Program during that fiscal biennium. This bill sets the present value of the Land Recycling Loan Program subsidies that may be provided during the 2007-09 biennium at \$2,700,000. 2009-2011 *

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.866 (2) (tc) of the statutes is amended to read:

20.866 (2) (tc) *Clean water fund program.* From the capital improvement fund, a sum sufficient for the purposes of s. 281.57 (10m) and (10r) and to be transferred to the environmental improvement fund for the purposes of the clean water fund program under ss. 281.58 and 281.59. The state may contract public debt in an amount not to exceed \$697,643,200 \$813,643,200 for this purpose. Of this amount, the amount needed to meet the requirements for state deposits under 33 USC 1382 is allocated for those deposits. Of this amount, \$8,250,000 is allocated to fund the minority business development and training program under s. 200.49 (2) (b). Moneys from this appropriation account may be expended for the purposes of s. 281.57 (10m) and (10r) only in the amount by which the department of natural resources and the department of administration determine that moneys available under par. (tn) are insufficient for the purposes of s. 281.57 (10m) and (10r).

History: 1971 c. 42; 1971 c. 100 s. 23; 1971 c. 125, 211, 215, 236, 307, 330, 336; 1973 c. 90 ss. 148 to 149m, 555m (2); 1973 c. 333; 1975 c. 26, 39, 40, 41, 200, 224, 422; 1977 c. 4, 6; 1977 c. 29 ss. 385 to 387, 1650m (4), 1656 (43); 1977 c. 418; 1979 c. 4; 1979 c. 34 ss. 675a to 677v, 2102 (6) (a), (39) (a), (52) (a); 1979 c. 107, 221; 1981 c. 1 ss. 17, 18, 47; 1981 c. 20, 108, 317, 336; 1983 a. 27; 1983 a. 36 s. 96 (4); 1983 a. 97, 192, 195, 212; 1983 a. 410 s. 2202 (2); 1985 a. 6; 1985 a. 8 ss. 4, 12; 1985 a. 29 ss. 589m to 598, 3202 (23) (c), (26) (a), (53) (a); 1985 a. 77, 120, 332; 1987 a. 27, 295, 298, 399, 403, 409; 1989 a. 31, 46, 107, 122, 219, 336, 359, 366; 1991 a. 39, 51, 269, 309, 324; 1993 a. 2, 16, 98, 115, 213, 343, 377, 413, 437, 453, 485; 1995 a. 27 ss. 1159 to 1168s, 9126 (19), 9145 (1); 1995 a. 40, 57, 60, 113; 1995 a. 216, s. 30m and 9127; 1995 a. 227, 246,

372, 388, 416, 452; 1997 a. 27, 35, 61, 164, 237, 252; 1999 a. 4, 9, 146; 1999 a. 150 s. 672; 1999 a. 184; 2001 a. 12, 16, 103, 109; 2003 a. 33, 64, 91, 129; 2005 a. 1, 22, 25, 102, 300; 2007 a. 5; 2007 a. 20 ss. 582 to 597s, 9121 (6) (a); 2007 a. 226.

1 **SECTION 2.** 20.866 (2) (td) of the statutes is amended to read:

2 20.866 (2) (td) *Safe drinking water loan program.* From the capital
3 improvement fund, a sum sufficient to be transferred to the environmental
4 improvement fund for the safe drinking water loan program under s. 281.61. The
5 state may contract public debt in an amount not to exceed \$38,400,000 [✓] \$47,800,000
6 for this purpose.

History: 1971 c. 42; 1971 c. 100 s. 23; 1971 c. 125, 211, 215, 236, 307, 330, 336; 1973 c. 90 ss. 148 to 149m, 555m (2); 1973 c. 333; 1975 c. 26, 39, 40, 41, 200, 224, 422; 1977 c. 4, 6; 1977 c. 29 ss. 385 to 387, 1650m (4), 1656 (43); 1977 c. 418; 1979 c. 4; 1979 c. 34 ss. 675a to 677v, 2102 (6) (a), (39) (a), (52) (a); 1979 c. 107, 221; 1981 c. 1 ss. 17, 18, 47; 1981 c. 20, 108, 317, 336; 1983 a. 27; 1983 a. 36 s. 96 (4); 1983 a. 97, 192, 195, 212; 1983 a. 410 s. 2202 (2); 1985 a. 6; 1985 a. 8 ss. 4, 12; 1985 a. 29 ss. 589m to 598, 3202 (23) (c), (26) (a), (53) (a); 1985 a. 77, 120, 332; 1987 a. 27, 295, 298, 399, 403, 409; 1989 a. 31, 46, 107, 122, 219, 336, 359, 366; 1991 a. 39, 51, 269, 309, 324; 1993 a. 2, 16, 98, 115, 213, 343, 377, 413, 437, 453, 485; 1995 a. 27 ss. 1159 to 1168s, 9126 (19), 9145 (1); 1995 a. 40, 57, 60, 113; 1995 a. 216, s. 30m and 9127; 1995 a. 227, 246, 372, 388, 416, 452; 1997 a. 27, 35, 61, 164, 237, 252; 1999 a. 4, 9, 146; 1999 a. 150 s. 672; 1999 a. 184; 2001 a. 12, 16, 103, 109; 2003 a. 33, 64, 91, 129; 2005 a. 1, 22, 25, 102, 300; 2007 a. 5; 2007 a. 20 ss. 582 to 597s, 9121 (6) (a); 2007 a. 226.

7 **SECTION 3.** 281.59 (3e) (b) 1. of the statutes is amended to read:

8 281.59 (3e) (b) 1. Equal to \$114,700,000 [✓] \$166,300,000 during the 2007-09
9 2009-2011 biennium.

History: 1989 a. 366 ss. 40, 63, 65, 66, 97, 99, 106, 108 to 110, 115; 1991 a. 32, 39, 189, 315; 1993 a. 16; 1995 a. 27; 1995 a. 227 s. 426; Stats. 1995 s. 281.59; 1995 a. 452; 1997 a. 27, 237; 1999 a. 9; 1999 a. 150 s. 374, 672; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20.

10 **SECTION 4.** 281.59 (3e) (b) 3. of the statutes is amended to read:

11 281.59 (3e) (b) 3. Equal to \$1,000 for any biennium after the 2007-09
12 2009-2011 biennium.

History: 1989 a. 366 ss. 40, 63, 65, 66, 97, 99, 106, 108 to 110, 115; 1991 a. 32, 39, 189, 315; 1993 a. 16; 1995 a. 27; 1995 a. 227 s. 426; Stats. 1995 s. 281.59; 1995 a. 452; 1997 a. 27, 237; 1999 a. 9; 1999 a. 150 s. 374, 672; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20.

13 **SECTION 5.** 281.59 (3m) (b) 1. of the statutes is amended to read:

14 281.59 (3m) (b) 1. Equal to \$2,700,000 during the 2007-09 2009-2011
15 biennium.

History: 1989 a. 366 ss. 40, 63, 65, 66, 97, 99, 106, 108 to 110, 115; 1991 a. 32, 39, 189, 315; 1993 a. 16; 1995 a. 27; 1995 a. 227 s. 426; Stats. 1995 s. 281.59; 1995 a. 452; 1997 a. 27, 237; 1999 a. 9; 1999 a. 150 s. 374, 672; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20.

16 **SECTION 6.** 281.59 (3m) (b) 2. of the statutes is amended to read:

17 281.59 (3m) (b) 2. Equal to \$1,000 for any biennium after the 2007-09
18 2009-2011 biennium.

History: 1989 a. 366 ss. 40, 63, 65, 66, 97, 99, 106, 108 to 110, 115; 1991 a. 32, 39, 189, 315; 1993 a. 16; 1995 a. 27; 1995 a. 227 s. 426; Stats. 1995 s. 281.59; 1995 a. 452; 1997 a. 27, 237; 1999 a. 9; 1999 a. 150 s. 374, 672; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20.

19 **SECTION 7.** 281.59 (3s) (b) 1. of the statutes is amended to read:

1 281.59 (3s) (b) 1. Equal to \$13,400,000 \$17,600,000 during the 2007-09
2 2009-2011 biennium.

History: 1989 a. 366 ss. 40, 63, 65, 66, 97, 99, 106, 108 to 110, 115; 1991 a. 32, 39, 189, 315; 1993 a. 16; 1995 a. 27; 1995 a. 227 s. 426; Stats. 1995 s. 281.59; 1995 a. 452; 1997 a. 27, 237; 1999 a. 9; 1999 a. 150 s. 374, 672; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20.

SECTION 8. 281.59 (3s) (b) 2. of the statutes is amended to read:

4 281.59 (3s) (b) 2. Equal to \$1,000 for any biennium after the 2007-09
5 2009-2011 biennium.

History: 1989 a. 366 ss. 40, 63, 65, 66, 97, 99, 106, 108 to 110, 115; 1991 a. 32, 39, 189, 315; 1993 a. 16; 1995 a. 27; 1995 a. 227 s. 426; Stats. 1995 s. 281.59; 1995 a. 452; 1997 a. 27, 237; 1999 a. 9; 1999 a. 150 s. 374, 672; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20.

SECTION 9. 281.59 (4) (f) of the statutes is amended to read:

281.59 (4) (f) Revenue obligations may be contracted by the building commission when it reasonably appears to the building commission that all obligations incurred under this subsection, and all payments under an agreement or ancillary arrangement entered into under s. 18.55 (6) with respect to revenue obligations issued under this subsection, can be fully paid on a timely basis from moneys received or anticipated to be received. Revenue obligations issued under this subsection for the clean water fund program shall not exceed \$1,984,100,000 \$2,402,900,000 in principal amount, excluding obligations issued to refund outstanding revenue obligation notes.

History: 1989 a. 366 ss. 40, 63, 65, 66, 97, 99, 106, 108 to 110, 115; 1991 a. 32, 39, 189, 315; 1993 a. 16; 1995 a. 27; 1995 a. 227 s. 426; Stats. 1995 s. 281.59; 1995 a. 452; 1997 a. 27, 237; 1999 a. 9; 1999 a. 150 s. 374, 672; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20.

16 (END)

Tradewell, Becky

From: Miner, Andrew - DOA [Andrew.Miner@Wisconsin.gov]

Sent: Tuesday, January 06, 2009 3:38 PM

To: Tradewell, Becky

Subject: changes to LRB 0333, EIP biennial finance plan

Hi Becky,

Please make the following changes to LRB 0333. First, change the interest rate for a Clean Water Fund project from 55 to 70 percent of the market rate. (This is identical to what was done in LRB 0621/4 from the last budget.) Change the amount of GO bonding authority for the Clean Water Fund to \$76,500,000 for the 09-11 biennium and the amount of the Clean Water Fund present value subsidy to \$114,800,000 for the 09-11 biennium. Please let me know if you have any questions. Thanks,
Andrew

*Andrew Miner
Agriculture, Environment and Justice
Wisconsin State Budget Office
(608) 266-1103*



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0333/1

RNK:jld:ph

DUE MON

DOA:.....Miner, BB0037 - EIF biennial finance plan

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

✓ \$114,800,000

Don't gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

✓ \$76,500,000
\$114,800,000

✓
insert
Analysis
Under the Clean Water Fund Program, this state provides financial assistance for projects for controlling water pollution, including sewage treatment plants. One form of financial assistance provided under the Clean Water Fund Program is a loan at a subsidized interest rate.

The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Clean Water Fund Program during that fiscal biennium. This bill sets the present value of the Clean Water Fund Program subsidies that may be provided during the 2009-11 biennium at \$166,300,000. The bill also increases the general obligation bonding authority for the Clean Water Fund Program by \$116,000,000 and increases the revenue bonding authority for the Clean Water Fund Program by \$418,800,000.

Under the Safe Drinking Water Loan Program, this state provides loans to local governmental units for projects for the construction or modification of public water systems. The loans are provided at subsidized interest rates. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Safe Drinking Water Loan Program during that fiscal biennium. This bill sets the present value of the Safe Drinking Water Loan Program subsidies that may be provided during the 2009-11 biennium at \$17,600,000. The bill also increases the

general obligation bonding authority for the Safe Drinking Water Loan Program by \$9,400,000.

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

Under the Land Recycling Loan Program, this state provides loans to cities, villages, towns, and counties (political subdivisions) for projects to remedy environmental contamination at sites owned by political subdivisions where the environmental contamination has affected, or threatens to affect, groundwater or surface water. The loans are subsidized so that recipients are not required to pay interest. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Land Recycling Loan Program during that fiscal biennium. This bill sets the present value of the Land Recycling Loan Program subsidies that may be provided during the 2009-11 biennium at \$2,700,000.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.866 (2) (tc) of the statutes is amended to read:

2 20.866 (2) *Clean water fund program.* From the capital improvement fund,
3 a sum sufficient for the purposes of s. 281.57 (10m) and (10r) and to be transferred
4 to the environmental improvement fund for the purposes of the clean water fund
5 program under ss. 281.58 and 281.59. The state may contract public debt in an
6 amount not to exceed ~~\$697,643,200~~ \$813,643,200 ^{\$774,143,200} for this purpose. Of this amount,
7 the amount needed to meet the requirements for state deposits under 33 USC 1382
8 is allocated for those deposits. Of this amount, \$8,250,000 is allocated to fund the
9 minority business development and training program under s. 200.49 (2) (b).
10 Moneys from this appropriation account may be expended for the purposes of s.
11 281.57 (10m) and (10r) only in the amount by which the department of natural
12 resources and the department of administration determine that moneys available
13 under par. (tn) are insufficient for the purposes of s. 281.57 (10m) and (10r).

14 **SECTION 2.** 20.866 (2) (td) of the statutes is amended to read:

20.866 (2) (td) *Safe drinking water loan program.* From the capital improvement fund, a sum sufficient to be transferred to the environmental improvement fund for the safe drinking water loan program under s. 281.61. The state may contract public debt in an amount not to exceed ~~\$38,400,000~~ \$47,800,000 for this purpose.

SECTION 3. 281.59 (3e) (b) 1. of the statutes is amended to read:

281.59 (3e) (b) 1. Equal to \$114,700,000 \$166,300,000 during the 2007-09 2009-11 biennium.

SECTION 4. 281.59 (3e) (b) 3. of the statutes is amended to read:

281.59 (3e) (b) 3. Equal to \$1,000 for any biennium after the 2007-09 2009-11 biennium.

SECTION 5. 281.59 (3m) (b) 1. of the statutes is amended to read:

281.59 (3m) (b) 1. Equal to \$2,700,000 during the 2007-09 2009-11 biennium.

SECTION 6. 281.59 (3m) (b) 2. of the statutes is amended to read:

281.59 (3m) (b) 2. Equal to \$1,000 for any biennium after the 2007-09 2009-11 biennium.

SECTION 7. 281.59 (3s) (b) 1. of the statutes is amended to read:

281.59 (3s) (b) 1. Equal to \$13,400,000 \$17,600,000 during the 2007-09 2009-11 biennium.

SECTION 8. 281.59 (3s) (b) 2. of the statutes is amended to read:

281.59 (3s) (b) 2. Equal to \$1,000 for any biennium after the 2007-09 2009-11 biennium.

SECTION 9. 281.59 (4) (f) of the statutes is amended to read:

281.59 (4) (f) Revenue obligations may be contracted by the building commission when it reasonably appears to the building commission that all

1 obligations incurred under this subsection, and all payments under an agreement or
2 ancillary arrangement entered into under s. 18.55 (6) with respect to revenue
3 obligations issued under this subsection, can be fully paid on a timely basis from
4 moneys received or anticipated to be received. Revenue obligations issued under this
5 subsection for the clean water fund program shall not exceed \$1,984,100,000
6 \$2,402,900,000 in principal amount, excluding obligations issued to refund
7 outstanding revenue obligation notes.

8 (END)

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0333/2ins.

RNK:.....

INSERT ANALYSIS

Under current law, the interest rate for projects that are necessary to prevent a municipality from exceeding a pollution limit in its wastewater discharge permit is 55 percent of the market interest rate, which is the interest rate on bonds issued by the state for the Clean Water Fund Program. This bill changes the interest rate for this kind of project to 70 percent of the market interest rate.

INSERT 3-5

- 1 **SECTION 1.** [✓]281.58 (12) (a) 1. of the statutes is amended to read:
- 2 281.58 (12) (a) 1. Except as modified under par. (f) and except as restricted by
- 3 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 1. and
- 4 2. is ~~55%~~ ^{70 percent} of market interest rate. ✓

History: 1987 a. 399; 1989 a. 31, 336, 366; 1991 a. 32, 39, 189; 1993 a. 16; 1995 a. 27; 1995 a. 227 s. 425; Stats. 1995 s. 281.58; 1997 a. 27, 237; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 104; 2005 a. 25, 347.

Tradewell, Becky

From: Miner, Andrew - DOA [Andrew.Miner@Wisconsin.gov]
Sent: Friday, January 16, 2009 3:17 PM
To: Tradewell, Becky
Cc: Wolff, Michael - DOA; Steinmetz, Jana D - DOA; Hoadley, Frank R - DOA
Subject: addition to draft 333, re: federal stimulus

Becky,

Here is suggested language that we have worked out to add to the clean water fund bonding statute under 20.866(2)(tc). Please let me know if you have any questions or concerns. Thanks – Andrew

“Of this amount, \$76,500,000 may be issued only after taking into account federal stimulus monies received under the American Recovery and Reinvestment Act.” (Note – probably should consider this a placeholder in case the name of the act changes.)

*Andrew Miner
Agriculture, Environment and Justice
Wisconsin State Budget Office
(608) 266-1103*

01/16/2009



State of Wisconsin
2009 - 2010 LEGISLATURE

RM run
3
LRB-0333/2
RNK:jld:md

DOA:.....Miner, BB0037 - EIF biennial finance plan

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

x do not gen

1

AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

Under the Clean Water Fund Program, this state provides financial assistance for projects for controlling water pollution, including sewage treatment plants. One form of financial assistance provided under the Clean Water Fund Program is a loan at a subsidized interest rate.

Under current law, the interest rate for projects that are necessary to prevent a municipality from exceeding a pollution limit in its wastewater discharge permit is 55 percent of the market interest rate, which is the interest rate on bonds issued by the state for the Clean Water Fund Program. This bill changes the interest rate for this kind of project to 70 percent of the market interest rate.

The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Clean Water Fund Program during that fiscal biennium. This bill sets the present value of the Clean Water Fund Program subsidies that may be provided during the 2009-11 biennium at \$114,800,000. The bill also increases the general obligation bonding authority for the Clean Water Fund Program by \$76,500,000, and increases the revenue bonding authority for the Clean Water Fund Program by \$418,800,000. In addition, the bill ^{move}

Under the Safe Drinking Water Loan Program, this state provides loans to local governmental units for projects for the construction or modification of public water

(20)

except that this increase does not take effect in fiscal years 2009-10 and 2010-11 unless the state first takes into account certain funds received by the federal government.

systems. The loans are provided at subsidized interest rates. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Safe Drinking Water Loan Program during that fiscal biennium. This bill sets the present value of the Safe Drinking Water Loan Program subsidies that may be provided during the 2009-11 biennium at \$17,600,000. The bill also increases the general obligation bonding authority for the Safe Drinking Water Loan Program by \$9,400,000.

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

Under the Land Recycling Loan Program, this state provides loans to cities, villages, towns, and counties (political subdivisions) for projects to remedy environmental contamination at sites owned by political subdivisions where the environmental contamination has affected, or threatens to affect, groundwater or surface water. The loans are subsidized so that recipients are not required to pay interest. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Land Recycling Loan Program during that fiscal biennium. This bill sets the present value of the Land Recycling Loan Program subsidies that may be provided during the 2009-11 biennium at \$2,700,000.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.866 (2) (tc) of the statutes is amended to read:

2 20.866 (2) (tc) *Clean water fund program.* From the capital improvement fund,
3 a sum sufficient for the purposes of s. 281.57 (10m) and (10r) and to be transferred
4 to the environmental improvement fund for the purposes of the clean water fund
5 program under ss. 281.58 and 281.59. The state may contract public debt in an
6 amount not to exceed ~~\$697,643,200~~ \$774,143,200 for this purpose. Of this amount,
7 the amount needed to meet the requirements for state deposits under 33 USC 1382
8 is allocated for those deposits. Of this amount, \$8,250,000 is allocated to fund the
9 minority business development and training program under s. 200.49 (2) (b).
10 Moneys from this appropriation account may be expended for the purposes of s.
11 281.57 (10m) and (10r) only in the amount by which the department of natural

resources and the department of administration determine that moneys available under par. (tn) are insufficient for the purposes of s. 281.57 (10m) and (10r).

SECTION 2. 20.866 (2) (td) of the statutes is amended to read:

20.866 (2) (td) *Safe drinking water loan program.* From the capital improvement fund, a sum sufficient to be transferred to the environmental improvement fund for the safe drinking water loan program under s. 281.61. The state may contract public debt in an amount not to exceed ~~\$38,400,000~~ \$47,800,000 for this purpose.

SECTION 3. 281.58 (12) (a) 1. of the statutes is amended to read:

281.58 (12) (a) 1. Except as modified under par. (f) and except as restricted by sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 1. and 2. is ~~55%~~ 70 percent of market interest rate.

SECTION 4. 281.59 (3e) (b) 1. of the statutes is amended to read:

281.59 (3e) (b) 1. Equal to ~~\$114,700,000~~ \$114,800,000 during the ~~2007-09~~ 2009-11 biennium.

SECTION 5. 281.59 (3e) (b) 3. of the statutes is amended to read:

281.59 (3e) (b) 3. Equal to \$1,000 for any biennium after the ~~2007-09~~ 2009-11 biennium.

SECTION 6. 281.59 (3m) (b) 1. of the statutes is amended to read:

281.59 (3m) (b) 1. Equal to \$2,700,000 during the ~~2007-09~~ 2009-11 biennium.

SECTION 7. 281.59 (3m) (b) 2. of the statutes is amended to read:

281.59 (3m) (b) 2. Equal to \$1,000 for any biennium after the ~~2007-09~~ 2009-11 biennium.

SECTION 8. 281.59 (3s) (b) 1. of the statutes is amended to read:

SECTION 9. 281.59 (3s) (b) 2. of the statutes is amended to read:

SECTION 10. 281.59 (4) (f) of the statutes is amended to read:

281.59 (4) (f) Revenue obligations may be contracted by the building commission when it reasonably appears to the building commission that all obligations incurred under this subsection, and all payments under an agreement or ancillary arrangement entered into under s. 18.55 (6) with respect to revenue obligations issued under this subsection, can be fully paid on a timely basis from moneys received or anticipated to be received. Revenue obligations issued under this subsection for the clean water fund program shall not exceed \$1,984,100,000 \$2,402,900,000 in principal amount, excluding obligations issued to refund outstanding revenue obligation notes.

(END)

Insert 4-15

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0333/3ins.
RNK:.....

INSERT 4-15

1 **SECTION 9137. Nonstatutory provisions; Natural Resources.**

2 (1) CLEAN WATER FUND BONDING AMOUNTS. Notwithstanding the authority of this
3 state to contract public debt for the purposes of the clean water fund program in the
4 total amount specified under section 20.866 (2) (tc) of the statutes, as affected by this
5 act, the state may not obligate, in fiscal years 2009-10 and 2010-11, a total amount
6 exceeding \$697,643,200 unless the state first takes into account any funds received
7 from the federal government under the American Recovery and Reinvestment Act
8 of 2009.

****NOTE: This draft requires "the state" to take into account any funds received
from the federal government. Should the draft require DNR, ~~DOA~~ or the building
commission to take these funds into account rather than just requiring "the state" to do
so? That is, who is "the state" for purposes of this proposal? And must the funds from the
federal government be designated for use for the purposes of the clean water fund
program? Also, while the draft refers to "the American Recovery and Reinvestment Act
of 2009" such legislation has not yet been enacted. If this legislation is not enacted before
the budget bill is introduced, this language must be changed because the draft cannot
refer to a law that does not yet exist.

to be taken into account

funds

*

*

*

Kite, Robin

From: Miner, Andrew - DOA [Andrew.Miner@Wisconsin.gov]
Sent: Wednesday, January 21, 2009 10:13 AM
To: Kite, Robin
Subject: FW: LRB Draft: 09-0333/3 EIF biennial finance plan

Robin – please see Michael's note and go ahead and make your suggested change. Thanks - Andrew

From: Wolff, Michael - DOA
Sent: Wednesday, January 21, 2009 10:01 AM
To: Miner, Andrew - DOA
Subject: RE: LRB Draft: 09-0333/3 EIF biennial finance plan

Andrew – Robin is correct. The draft ARRA bill contains funds for both programs, which is why I included it. But additional monies for the SDW program will not affect our GO bond request for that program. So excluding SDW is appropriate.

Thanks.

Michael D Wolff
Finance Programs Administrator
State of Wisconsin
Department of Administration
101 East Wilson Street 10th floor
Madison WI 53703
608.267.2734 608.266.7645
michael.wolff@wi.gov

From: Miner, Andrew - DOA
Sent: Wednesday, January 21, 2009 9:51 AM
To: Wolff, Michael - DOA
Subject: FW: LRB Draft: 09-0333/3 EIF biennial finance plan

Michael – see Robin's note below. Does it make sense to just say clean water fund? Thanks - Andrew

From: Kite, Robin [mailto:Robin.Kite@legis.wisconsin.gov]
Sent: Wednesday, January 21, 2009 9:48 AM
To: Miner, Andrew - DOA
Subject: RE: LRB Draft: 09-0333/3 EIF biennial finance plan

Andrew:

Michael's note says that the federal funds are those made available for the purposes of the clean water and safe drinking water programs. But given that the draft limits only payments from s. 20.866 (2) (tc) which is a clean water fund appropriation and not a safe drinking water appropriation, shouldn't the limitation only be for funds available for the purposes of the clean water fund program? That is, it seems to me that the language should provide that DOA must take into effect federal stimulus funds made available for the purposes of the clean water fund program (and not the safe drinking water program). Am I missing something?

Robin

From: Miner, Andrew - DOA [mailto:Andrew.Miner@Wisconsin.gov]
Sent: Tuesday, January 20, 2009 2:27 PM

01/21/2009

To: Kite, Robin
Cc: Steinmetz, Jana D - DOA; Wolff, Michael - DOA
Subject: FW: LRB Draft: 09-0333/3 EIF biennial finance plan

Robin – Please see Michael's note below concerning your drafter's note on draft 333. Please incorporate his changes as possible. Let me know if you have any questions. Thanks - Andrew

From: Wolff, Michael - DOA
Sent: Tuesday, January 20, 2009 1:30 PM
To: Miner, Andrew - DOA; Steinmetz, Jana D - DOA
Subject: RE: LRB Draft: 09-0333/3 EIF biennial finance plan

Sorry, I missed this the first time. Yes, saying that DOA must take into account is probably more accurate. Similarly, that the ARRA funds to be taken into account be only those available and received for the purposes of the Clean Water and Safe Drinking Water programs. This one is pretty self-evident but I like the idea of limiting what funds must be taken into account.
Thanks.

Michael D Wolff
Finance Programs Administrator
State of Wisconsin
Department of Administration
101 East Wilson Street 10th floor
Madison WI 53703
608.267.2734 608.266.7645
michael.wolff@wi.gov

From: Miner, Andrew - DOA
Sent: Tuesday, January 20, 2009 1:01 PM
To: Steinmetz, Jana D - DOA; Wolff, Michael - DOA
Subject: RE: LRB Draft: 09-0333/3 EIF biennial finance plan

Note the drafter's note on pages 4-5.

From: Steinmetz, Jana D - DOA
Sent: Tuesday, January 20, 2009 12:59 PM
To: Wolff, Michael - DOA
Cc: Miner, Andrew - DOA
Subject: FW: LRB Draft: 09-0333/3 EIF biennial finance plan

Let us know if you have any questions or concerns (or if it looks ok).

Thanks,
Jana

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.wisconsin.gov]
Sent: Tuesday, January 20, 2009 12:54 PM
To: Miner, Andrew - DOA
Cc: Steinmetz, Jana D - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-0333/3 EIF biennial finance plan

Following is the PDF version of draft 09-0333/3.



State of Wisconsin
2009 - 2010 LEGISLATURE

RM run
4
LRB-0333/8

RNK:jld:rs

DOA:.....Miner, BB0037 - EIF biennial finance plan

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

x

don't gen

✓

DOA
Department of Administration

1

AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

Under the Clean Water Fund Program, this state provides financial assistance for projects for controlling water pollution, including sewage treatment plants. One form of financial assistance provided under the Clean Water Fund Program is a loan at a subsidized interest rate.

Under current law, the interest rate for projects that are necessary to prevent a municipality from exceeding a pollution limit in its wastewater discharge permit is 55 percent of the market interest rate, which is the interest rate on bonds issued by the state for the Clean Water Fund Program. This bill changes the interest rate for this kind of project to 70 percent of the market interest rate.

The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Clean Water Fund Program during that fiscal biennium. This bill sets the present value of the Clean Water Fund Program subsidies that may be provided during the 2009-11 biennium at \$114,800,000. The bill also increases the revenue bonding authority for the Clean Water Fund Program by \$418,800,000. In addition, the bill increases the general obligation bonding authority for the Clean Water Fund Program by \$76,500,000, except that this increase does not take effect in fiscal years 2009-10 unless the state first takes into account certain funds received by the federal governmental.

and 2010-11 ✓

Under the Safe Drinking Water Loan Program, this state provides loans to local governmental units for projects for the construction or modification of public water systems. The loans are provided at subsidized interest rates. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Safe Drinking Water Loan Program during that fiscal biennium. This bill sets the present value of the Safe Drinking Water Loan Program subsidies that may be provided during the 2009-11 biennium at \$17,600,000. The bill also increases the general obligation bonding authority for the Safe Drinking Water Loan Program by \$9,400,000.

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

Under the Land Recycling Loan Program, this state provides loans to cities, villages, towns, and counties (political subdivisions) for projects to remedy environmental contamination at sites owned by political subdivisions where the environmental contamination has affected, or threatens to affect, groundwater or surface water. The loans are subsidized so that recipients are not required to pay interest. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Land Recycling Loan Program during that fiscal biennium. This bill sets the present value of the Land Recycling Loan Program subsidies that may be provided during the 2009-11 biennium at \$2,700,000.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.866 (2) (tc) of the statutes is amended to read:

2 20.866 (2) (tc) *Clean water fund program.* From the capital improvement fund,
3 a sum sufficient for the purposes of s. 281.57 (10m) and (10r) and to be transferred
4 to the environmental improvement fund for the purposes of the clean water fund
5 program under ss. 281.58 and 281.59. The state may contract public debt in an
6 amount not to exceed ~~\$697,643,200~~ \$774,143,200 for this purpose. Of this amount,
7 the amount needed to meet the requirements for state deposits under 33 USC 1382
8 is allocated for those deposits. Of this amount, \$8,250,000 is allocated to fund the
9 minority business development and training program under s. 200.49 (2) (b).
10 Moneys from this appropriation account may be expended for the purposes of s.

1 281.57 (10m) and (10r) only in the amount by which the department of natural
2 resources and the department of administration determine that moneys available
3 under par. (tn) are insufficient for the purposes of s. 281.57 (10m) and (10r).

4 **SECTION 2.** 20.866 (2) (td) of the statutes is amended to read:

5 20.866 (2) (td) *Safe drinking water loan program.* From the capital
6 improvement fund, a sum sufficient to be transferred to the environmental
7 improvement fund for the safe drinking water loan program under s. 281.61. The
8 state may contract public debt in an amount not to exceed ~~\$38,400,000~~ \$47,800,000
9 for this purpose.

10 **SECTION 3.** 281.58 (12) (a) 1. of the statutes is amended to read:

11 281.58 (12) (a) 1. Except as modified under par. (f) and except as restricted by
12 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 1. and
13 2. is ~~55%~~ 70 percent of market interest rate.

14 **SECTION 4.** 281.59 (3e) (b) 1. of the statutes is amended to read:

15 281.59 (3e) (b) 1. Equal to ~~\$114,700,000~~ \$114,800,000 during the 2007-09
16 2009-11 biennium.

17 **SECTION 5.** 281.59 (3e) (b) 3. of the statutes is amended to read:

18 281.59 (3e) (b) 3. Equal to \$1,000 for any biennium after the 2007-09 2009-11
19 biennium.

20 **SECTION 6.** 281.59 (3m) (b) 1. of the statutes is amended to read:

21 281.59 (3m) (b) 1. Equal to \$2,700,000 during the 2007-09 2009-11 biennium.

22 **SECTION 7.** 281.59 (3m) (b) 2. of the statutes is amended to read:

23 281.59 (3m) (b) 2. Equal to \$1,000 for any biennium after the 2007-09 2009-11
24 biennium.

25 **SECTION 8.** 281.59 (3s) (b) 1. of the statutes is amended to read:

281.59 (3s) (b) 1. Equal to ~~\$13,400,000~~ \$17,600,000 during the 2007-09
2009-11 biennium.

SECTION 9. 281.59 (3s) (b) 2. of the statutes is amended to read:

281.59 (3s) (b) 2. Equal to \$1,000 for any biennium after the ~~2007-09~~ 2009-11
biennium.

SECTION 10. 281.59 (4) (f) of the statutes is amended to read:

281.59 (4) (f) Revenue obligations may be contracted by the building
commission when it reasonably appears to the building commission that all
obligations incurred under this subsection, and all payments under an agreement or
ancillary arrangement entered into under s. 18.55 (6) with respect to revenue
obligations issued under this subsection, can be fully paid on a timely basis from
moneys received or anticipated to be received. Revenue obligations issued under this
subsection for the clean water fund program shall not exceed ~~\$1,984,100,000~~
\$2,402,900,000 in principal amount, excluding obligations issued to refund
outstanding revenue obligation notes.

SECTION 9137. Nonstatutory provisions; Natural Resources.

(1) CLEAN WATER FUND BONDING AMOUNTS. Notwithstanding the authority of this
state to contract public debt for the purposes of the clean water fund program in the
total amount specified under section 20.866 (2) (tc) of the statutes, as affected by this
act, the state may not obligate, in fiscal years 2009-10 and 2010-11, a total amount
exceeding \$697,643,200 unless the ~~state~~ ^{the department of administration} first takes into account any funds received
from the federal government under the American Recovery and Reinvestment Act
of 2009. ^{that are made available to this state} ^{for purposes of the clean water fund}
^{program}

***NOTE: This draft requires "the state" to take into account any funds received
from the federal government. Should the draft require DNR, DOA, or the building
commission to take these funds into account rather than just requiring "the state" to do

*NO A
This*

so? That is, who is "the state" for purposes of this proposal? And must the funds to be taken into account from the federal government be funds designated for use for the purposes of the clean water fund program? Also, while the draft refers to "the American Recovery and Reinvestment Act of 2009," such legislation has not yet been enacted. If this legislation is not enacted before the budget bill is introduced, this language must be changed because the draft cannot refer to a law that does not yet exist.

1

(END)

or bill ✓*, or at the least introduced,* ✓

Kite, Robin

From: Miner, Andrew - DOA [Andrew.Miner@Wisconsin.gov]
Sent: Wednesday, January 21, 2009 4:09 PM
To: Kite, Robin
Subject: FW: LRB Draft: 09-0333/4 EIF biennial finance plan

Hi Robin – sorry for another change, but if you're not already aware of this, please change the language in draft 333 to match what's recommended below. Thanks - Andrew

From: Hanaman, Cathlene [mailto:Cathlene.Hanaman@legis.wisconsin.gov]
Sent: Wednesday, January 21, 2009 3:38 PM
To: Kraus, Jennifer - DOA
Subject: RE: LRB Draft: 09-0333/4 EIF biennial finance plan

Yes, to avoid confusion and to be sure to capture all such funds, I like "federal economic stimulus funds." I'll let our people know.

From: Kraus, Jennifer - DOA [mailto:jennifer.kraus@wisconsin.gov]
Sent: Wednesday, January 21, 2009 3:27 PM
To: Steinmetz, Jana D - DOA; Hanaman, Cathlene
Cc: Miner, Andrew - DOA
Subject: RE: LRB Draft: 09-0333/4 EIF biennial finance plan

In my drafts, we are using this language -- "Federal economic stimulus funds" mean federal moneys received by the state, pursuant to federal legislation enacted during the 111th Congress for the purpose of reviving the economy of the United States.

Cathlene - does it make sense to all use the same language?

Jenny

From: Steinmetz, Jana D - DOA
Sent: Wednesday, January 21, 2009 3:07 PM
To: Kraus, Jennifer - DOA
Cc: Miner, Andrew - DOA
Subject: FW: LRB Draft: 09-0333/4 EIF biennial finance plan

Jenny,

We have a draft that currently has the following nonstat provision:

SECTION 9137.0 Nonstatutory provisions; Natural Resources.

(1) CLEAN WATER FUND BONDING AMOUNTS. Notwithstanding the authority of this state to contract public debt for the purposes of the clean water fund program in the total amount specified under section 20.866 (2) (tc) of the statutes, as affected by this act, the state may not obligate, in fiscal years 2009–10 and 2010–11, a total amount exceeding \$697,643,200 unless the department of administration first takes into account any funds received from **the federal government under the American Recovery and Reinvestment Act of 2009** that are made available to this state for purposes of the clean water fund program.

The drafter notes that the bill will have to be changed depending on when and if such bill is introduced. Michael Wolff suggests some generic language below.

How are you handling this for other stimulus-related provisions?

From: Miner, Andrew - DOA
Sent: Wednesday, January 21, 2009 3:03 PM
To: Steinmetz, Jana D - DOA
Subject: FW: LRB Draft: 09-0333/4 EIF biennial finance plan

Should we do this or wait and see if there's a more enterprise-wide approach developed to address it?

From: Wolff, Michael - DOA
Sent: Wednesday, January 21, 2009 1:53 PM
To: Miner, Andrew - DOA; Steinmetz, Jana D - DOA
Subject: RE: LRB Draft: 09-0333/4 EIF biennial finance plan

To address the drafters final concern in her note, it might be better to define the stimulus bill generically, maybe something like "take into account any funds made available by a federal economic recovery bill" instead of naming ARRA specifically.

mw

From: Miner, Andrew - DOA
Sent: Wednesday, January 21, 2009 1:07 PM
To: Steinmetz, Jana D - DOA; Wolff, Michael - DOA
Subject: RE: LRB Draft: 09-0333/4 EIF biennial finance plan

This looks consistent with the emails Michael, Robin and I exchanged this morning.

From: Steinmetz, Jana D - DOA
Sent: Wednesday, January 21, 2009 12:48 PM
To: Wolff, Michael - DOA
Cc: Miner, Andrew - DOA
Subject: FW: LRB Draft: 09-0333/4 EIF biennial finance plan

Any comments?

From: Duchek, Michael [mailto:Michael.Duchek@legis.wisconsin.gov]
Sent: Wednesday, January 21, 2009 12:35 PM
To: Miner, Andrew - DOA
Cc: Steinmetz, Jana D - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-0333/4 EIF biennial finance plan

Following is the PDF version of draft 09-0333/4.



State of Wisconsin
2009 - 2010 LEGISLATURE

RM run
5
LRB-0333/4

RNK:jld:md

DOA:.....Miner, BB0037 - EIF biennial finance plan

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

X
1
don't gen
AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

Under the Clean Water Fund Program, this state provides financial assistance for projects for controlling water pollution, including sewage treatment plants. One form of financial assistance provided under the Clean Water Fund Program is a loan at a subsidized interest rate.

Under current law, the interest rate for projects that are necessary to prevent a municipality from exceeding a pollution limit in its wastewater discharge permit is 55 percent of the market interest rate, which is the interest rate on bonds issued by the state for the Clean Water Fund Program. This bill changes the interest rate for this kind of project to 70 percent of the market interest rate.

The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Clean Water Fund Program during that fiscal biennium. This bill sets the present value of the Clean Water Fund Program subsidies that may be provided during the 2009-11 biennium at \$114,800,000. The bill also increases the revenue bonding authority for the Clean Water Fund Program by \$418,800,000. In addition, the bill increases the general obligation bonding authority for the Clean Water Fund Program by \$76,500,000, except that this increase does not take effect in fiscal years 2009-10 and 2010-11 unless DOA first takes into account certain funds received by the federal governmental.

Under the Safe Drinking Water Loan Program, this state provides loans to local governmental units for projects for the construction or modification of public water systems. The loans are provided at subsidized interest rates. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Safe Drinking Water Loan Program during that fiscal biennium. This bill sets the present value of the Safe Drinking Water Loan Program subsidies that may be provided during the 2009-11 biennium at \$17,600,000. The bill also increases the general obligation bonding authority for the Safe Drinking Water Loan Program by \$9,400,000.

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

Under the Land Recycling Loan Program, this state provides loans to cities, villages, towns, and counties (political subdivisions) for projects to remedy environmental contamination at sites owned by political subdivisions where the environmental contamination has affected, or threatens to affect, groundwater or surface water. The loans are subsidized so that recipients are not required to pay interest. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Land Recycling Loan Program during that fiscal biennium. This bill sets the present value of the Land Recycling Loan Program subsidies that may be provided during the 2009-11 biennium at \$2,700,000.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.866 (2) (tc) of the statutes is amended to read:

2 20.866 (2) (tc) *Clean water fund program.* From the capital improvement fund,
3 a sum sufficient for the purposes of s. 281.57 (10m) and (10r) and to be transferred
4 to the environmental improvement fund for the purposes of the clean water fund
5 program under ss. 281.58 and 281.59. The state may contract public debt in an
6 amount not to exceed ~~\$697,643,200~~ \$774,143,200 for this purpose. Of this amount,
7 the amount needed to meet the requirements for state deposits under 33 USC 1382
8 is allocated for those deposits. Of this amount, \$8,250,000 is allocated to fund the
9 minority business development and training program under s. 200.49 (2) (b).
10 Moneys from this appropriation account may be expended for the purposes of s.

1 281.57 (10m) and (10r) only in the amount by which the department of natural
2 resources and the department of administration determine that moneys available
3 under par. (tn) are insufficient for the purposes of s. 281.57 (10m) and (10r).

4 **SECTION 2.** 20.866 (2) (td) of the statutes is amended to read:

5 20.866 (2) (td) *Safe drinking water loan program.* From the capital
6 improvement fund, a sum sufficient to be transferred to the environmental
7 improvement fund for the safe drinking water loan program under s. 281.61. The
8 state may contract public debt in an amount not to exceed ~~\$38,400,000~~ \$47,800,000
9 for this purpose.

10 **SECTION 3.** 281.58 (12) (a) 1. of the statutes is amended to read:

11 281.58 (12) (a) 1. Except as modified under par. (f) and except as restricted by
12 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 1. and
13 2. is ~~55%~~ 70 percent of market interest rate.

14 **SECTION 4.** 281.59 (3e) (b) 1. of the statutes is amended to read:

15 281.59 (3e) (b) 1. Equal to ~~\$114,700,000~~ \$114,800,000 during the ~~2007-09~~
16 2009-11 biennium.

17 **SECTION 5.** 281.59 (3e) (b) 3. of the statutes is amended to read:

18 281.59 (3e) (b) 3. Equal to \$1,000 for any biennium after the ~~2007-09~~ 2009-11
19 biennium.

20 **SECTION 6.** 281.59 (3m) (b) 1. of the statutes is amended to read:

21 281.59 (3m) (b) 1. Equal to \$2,700,000 during the ~~2007-09~~ 2009-11 biennium.

22 **SECTION 7.** 281.59 (3m) (b) 2. of the statutes is amended to read:

23 281.59 (3m) (b) 2. Equal to \$1,000 for any biennium after the ~~2007-09~~ 2009-11
24 biennium.

25 **SECTION 8.** 281.59 (3s) (b) 1. of the statutes is amended to read:

281.59 (3s) (b) 1. Equal to ~~\$13,400,000~~ \$17,600,000 during the 2007-09
2009-11 biennium.

SECTION 9. 281.59 (3s) (b) 2. of the statutes is amended to read:

281.59 (3s) (b) 2. Equal to \$1,000 for any biennium after the 2007-09 2009-11
biennium.

SECTION 10. 281.59 (4) (f) of the statutes is amended to read:

281.59 (4) (f) Revenue obligations may be contracted by the building
commission when it reasonably appears to the building commission that all
obligations incurred under this subsection, and all payments under an agreement or
ancillary arrangement entered into under s. 18.55 (6) with respect to revenue
obligations issued under this subsection, can be fully paid on a timely basis from
moneys received or anticipated to be received. Revenue obligations issued under this
subsection for the clean water fund program shall not exceed ~~\$1,984,100,000~~
\$2,402,900,000 in principal amount, excluding obligations issued to refund
outstanding revenue obligation notes.

SECTION 9137. Nonstatutory provisions; Natural Resources.

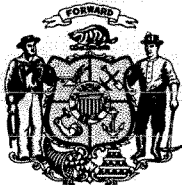
(1) CLEAN WATER FUND BONDING AMOUNTS. ^(b) Notwithstanding the authority of this
state to contract public debt for the purposes of the clean water fund program in the
total amount specified under section 20.866 (2) (tc) of the statutes, as affected by this
act, the state may not obligate, in fiscal years 2009-10 and 2010-11, a total amount
exceeding \$697,643,200 unless the department of administration first takes into
account any ^{federal economic stimulus} funds received from the federal government under the American
Recovery and Reinvestment Act of 2009 that are made available to this state for
purposes of the clean water fund program. ✓

move
4 (a) In this subsection, "federal economic stimulus funds" means federal moneys received by the state pursuant to federal legislation enacted during the 111th Congress for the purpose of reviving the economy of the United States. ✓

****NOTE: This draft refers to "the American Recovery and Reinvestment Act of 2009". If this legislation is not enacted, or at the least introduced, before the budget bill is introduced, this language must be changed because the draft cannot refer to a law or bill that does not yet exist.

1

(END)



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0333/5

RNK:jld:ph

DOA:.....Miner, BB0037 - EIF biennial finance plan

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

Under the Clean Water Fund Program, this state provides financial assistance for projects for controlling water pollution, including sewage treatment plants. One form of financial assistance provided under the Clean Water Fund Program is a loan at a subsidized interest rate.

Under current law, the interest rate for projects that are necessary to prevent a municipality from exceeding a pollution limit in its wastewater discharge permit is 55 percent of the market interest rate, which is the interest rate on bonds issued by the state for the Clean Water Fund Program. This bill changes the interest rate for this kind of project to 70 percent of the market interest rate.

The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Clean Water Fund Program during that fiscal biennium. This bill sets the present value of the Clean Water Fund Program subsidies that may be provided during the 2009-11 biennium at \$114,800,000. The bill also increases the revenue bonding authority for the Clean Water Fund Program by \$418,800,000. In addition, the bill increases the general obligation bonding authority for the Clean Water Fund Program by \$76,500,000, except that this increase does not take effect in fiscal years 2009-10 and 2010-11 unless DOA first takes into account certain funds received by the federal governmental.

Under the Safe Drinking Water Loan Program, this state provides loans to local governmental units for projects for the construction or modification of public water systems. The loans are provided at subsidized interest rates. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Safe Drinking Water Loan Program during that fiscal biennium. This bill sets the present value of the Safe Drinking Water Loan Program subsidies that may be provided during the 2009-11 biennium at \$17,600,000. The bill also increases the general obligation bonding authority for the Safe Drinking Water Loan Program by \$9,400,000.

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

Under the Land Recycling Loan Program, this state provides loans to cities, villages, towns, and counties (political subdivisions) for projects to remedy environmental contamination at sites owned by political subdivisions where the environmental contamination has affected, or threatens to affect, groundwater or surface water. The loans are subsidized so that recipients are not required to pay interest. The budget bill for each fiscal biennium establishes the present value of the subsidies that may be provided under the Land Recycling Loan Program during that fiscal biennium. This bill sets the present value of the Land Recycling Loan Program subsidies that may be provided during the 2009-11 biennium at \$2,700,000.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.866 (2) (tc) of the statutes is amended to read:

2 20.866 (2) (tc) *Clean water fund program.* From the capital improvement fund,
3 a sum sufficient for the purposes of s. 281.57 (10m) and (10r) and to be transferred
4 to the environmental improvement fund for the purposes of the clean water fund
5 program under ss. 281.58 and 281.59. The state may contract public debt in an
6 amount not to exceed ~~\$697,643,200~~ \$774,143,200 for this purpose. Of this amount,
7 the amount needed to meet the requirements for state deposits under 33 USC 1382
8 is allocated for those deposits. Of this amount, \$8,250,000 is allocated to fund the
9 minority business development and training program under s. 200.49 (2) (b).
10 Moneys from this appropriation account may be expended for the purposes of s.

1 281.57 (10m) and (10r) only in the amount by which the department of natural
2 resources and the department of administration determine that moneys available
3 under par. (tn) are insufficient for the purposes of s. 281.57 (10m) and (10r).

4 **SECTION 2.** 20.866 (2) (td) of the statutes is amended to read:

5 20.866 (2) (td) *Safe drinking water loan program.* From the capital
6 improvement fund, a sum sufficient to be transferred to the environmental
7 improvement fund for the safe drinking water loan program under s. 281.61. The
8 state may contract public debt in an amount not to exceed \$38,400,000 \$47,800,000
9 for this purpose.

10 **SECTION 3.** 281.58 (12) (a) 1. of the statutes is amended to read:

11 281.58 (12) (a) 1. Except as modified under par. (f) and except as restricted by
12 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 1. and
13 2. is ~~55%~~ 70 percent of market interest rate.

14 **SECTION 4.** 281.59 (3e) (b) 1. of the statutes is amended to read:

15 281.59 (3e) (b) 1. Equal to ~~\$114,700,000~~ \$114,800,000 during the 2007-09
16 2009-11 biennium.

17 **SECTION 5.** 281.59 (3e) (b) 3. of the statutes is amended to read:

18 281.59 (3e) (b) 3. Equal to \$1,000 for any biennium after the 2007-09 2009-11
19 biennium.

20 **SECTION 6.** 281.59 (3m) (b) 1. of the statutes is amended to read:

21 281.59 (3m) (b) 1. Equal to \$2,700,000 during the 2007-09 2009-11 biennium.

22 **SECTION 7.** 281.59 (3m) (b) 2. of the statutes is amended to read:

23 281.59 (3m) (b) 2. Equal to \$1,000 for any biennium after the 2007-09 2009-11
24 biennium.

25 **SECTION 8.** 281.59 (3s) (b) 1. of the statutes is amended to read:

1 281.59 (3s) (b) 1. Equal to ~~\$13,400,000~~ \$17,600,000 during the 2007-09
2 2009-11 biennium.

3 **SECTION 9.** 281.59 (3s) (b) 2. of the statutes is amended to read:

4 281.59 (3s) (b) 2. Equal to \$1,000 for any biennium after the 2007-09 2009-11
5 biennium.

6 **SECTION 10.** 281.59 (4) (f) of the statutes is amended to read:

7 281.59 (4) (f) Revenue obligations may be contracted by the building
8 commission when it reasonably appears to the building commission that all
9 obligations incurred under this subsection, and all payments under an agreement or
10 ancillary arrangement entered into under s. 18.55 (6) with respect to revenue
11 obligations issued under this subsection, can be fully paid on a timely basis from
12 moneys received or anticipated to be received. Revenue obligations issued under this
13 subsection for the clean water fund program shall not exceed ~~\$1,984,100,000~~
14 \$2,402,900,000 in principal amount, excluding obligations issued to refund
15 outstanding revenue obligation notes.

16 **SECTION 9137. Nonstatutory provisions; Natural Resources.**

17 (1) CLEAN WATER FUND BONDING AMOUNTS.

18 (a) In this subsection, "federal economic stimulus funds" means federal moneys
19 received by the state, pursuant to federal legislation enacted during the 111th
20 Congress for the purpose of reviving the economy of the United States.

21 (b) Notwithstanding the authority of this state to contract public debt for the
22 purposes of the clean water fund program in the total amount specified under section
23 20.866 (2) (tc) of the statutes, as affected by this act, the state may not obligate, in
24 fiscal years 2009-10 and 2010-11, a total amount exceeding \$697,643,200 unless the

- 1 department of administration first takes into account any federal economic stimulus
- 2 funds received for purposes of the clean water fund program.

3 (END)